



The State of New Hampshire
DEPARTMENT OF ENVIRONMENTAL SERVICES

Robert R. Scott, Commissioner

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February 14, 2024

His Excellency, Governor Christopher T. Sununu
and the Honorable Council
State House
Concord, New Hampshire 03301

REQUESTED ACTION

Authorize the Department of Environmental Services to amend a Clean Water State Revolving Fund (CWSRF) loan agreement (PO# 9005875) with the Town of Waterville Valley (VC #154573 B001) to increase funding by \$6,000,000, from \$4,000,000 to \$10,000,000, under the provisions of RSA 486:14 and N.H. Code of Admin. Rules Env-Wq 500 et seq., effective upon Governor & Council approval. The original loan agreement was approved by Governor & Council on November 22, 2022, Item No. 143. Funding is 100% CWSRF Repayment Funds.

Funding is available in the following account:

03-44-44-441018-2001-301-500832

Dept. Environmental Services, CWSRF Loan Repayments, Loans

FY 2024
\$6,000,000

EXPLANATION

The purpose of this Amendment is to increase the Town of Waterville Valley's existing CWSRF Loan by \$6,000,000 for the Wastewater Treatment Facility Upgrade project to fund construction of a new wastewater treatment facility which includes preliminary, primary, secondary, and tertiary treatment. This is a major project that will be phased and funded over time. To date, no loan funds have been disbursed.

The final loan amount will be based on the total CWSRF funds disbursed and may be less than \$10,000,000. Under federal capitalization grant requirements this loan includes principal forgiveness in the amount of up to \$980,000. The loan interest rate may be adjusted downward if the CWSRF loan rate in effect upon project completion is less than 2.5360%. Currently, there is \$40,373,817 available to loan after this request.

We respectfully request your approval.


Robert R. Scott, Commissioner

AMENDMENT No. 1

TO
STATE OF NEW HAMPSHIRE
WATER POLLUTION CONTROL REVOLVING FUND PROGRAM
TOWN OF WATERVILLE VALLEY, NEW HAMPSHIRE

ORIGINAL LOAN AGREEMENT
For Project CS-334700-03

To increase the Town of Waterville Valley's loan amount for the WWTF Upgrade Project, CWSRF Loan Number CS-334700-03, by \$6,000,000, from \$4,000,000 to \$10,000,000.

Now therefore, amend the ORIGINAL LOAN AGREEMENT, as approved by Governor and Council on November 22, 2022, as Item No. 143 in the following manner:

Change only Page 1 lines 16 through 17 of the ORIGINAL LOAN AGREEMENT to read as follows:

"...State, in accordance with the terms of this Agreement, the principal sum of **Ten Million and 00/100 Dollars (\$10,000,000)** (Principal Sum) or such lesser amount as shall equal the aggregate...";

And, change only Page 1, lines 21 through 23 of the ORIGINAL LOAN AGREEMENT to read as follows:

"...portion of the principal sum, not to exceed **Eighty Thousand and 00/100 Dollars (\$80,000)** or 2% of the total of Disbursements, up to Four Million and 00/100 Dollars (\$4,000,000), whichever is less, and a portion of the principal sum in the amount of 15% of the remaining Disbursements, provided the project is determined to be complete by the State. The total amount of principal forgiveness applied to the loan will not exceed **Nine Hundred Eighty Thousand, and 00/100 Dollars (\$980,000)**. In addition to the principal sum, the Loan Recipient agrees to pay the...";

And, change only Page A-1 of 1, line 10 of the ORIGINAL LOAN AGREEMENT to read as follows:

"...effect in one to three years. This project includes the purchase of land abutting the existing wastewater treatment facility and the cost of related transaction fees. The land will be used to locate several new buildings that are part of the facility expansion and upgrade...";

Accepted by
Town of Waterville Valley, New Hampshire



Town Manager

2/3/2024

Date

Accepted by
State of New Hampshire



Robert R. Scott, Commissioner
Department of Environmental Services

2/20/24

Date



The State of New Hampshire
Department of Environmental Services



Robert R. Scott, Commissioner

October 24, 2022

His Excellency, Governor Christopher T. Sununu
and the Honorable Council
State House
Concord, New Hampshire 03301

APPROVED G & C

DATE 22 November 2022

ITEM # 143

REQUESTED ACTIONS

1. Authorize the Department of Environmental Services to award a grant to the Town of Waterville Valley (VC# 154573 B001) in the amount not to exceed \$800,000 for the Wastewater Treatment Facility Upgrade project, effective upon Governor & Council approval through September 30, 2026. 100% Federal Funds.

Funding is available in the following account:

03-44-44-440010-2476-072-500574
Dept Environmental Services, ARPA DES Loans, Grants Federal
Activity code: 00FRF602WB4401E

FY 2023
\$800,000

2. Authorize the Department of Environmental Services to approve a loan agreement with the Town of Waterville Valley (VC# 154573 B001) in an amount not to exceed \$4,000,000 to finance the Wastewater Treatment Facility Upgrade project under the provisions of RSA 486:14 and N.H. Code of Admin. Rules Env-Wq 500 et seq., effective upon Governor & Council approval. Funding is 100% CWSRF Repayment Funds.

Funding is available in the following account:

03-44-44-441018-2001-301-500832
Dept. Environmental Services, CWSRF Loan Repayments, Loans

FY 2023
\$4,000,000

EXPLANATION

NHDES selected awardees for the Clean Water Infrastructure projects from pre-applicants who submitted proposed projects to the Clean Water State Revolving Fund (CWSRF) loan program in 2021. Pre-applicants were offered funding for their project utilizing CWSRF ranking criteria, the 2021 CWSRF Project Priority List, and information obtained from a project update solicitation in November 2021.

The Town of Waterville Valley requested a total of \$4,800,000 in funding from NHDES for needed improvements to the wastewater treatment facility (WWTF). NHDES, through the American Rescue Plan Act funds (ARPA) and the Clean Water State Revolving Loan Fund (CWSRF) has offered the Town \$4,800,000 in a combination of grant and loan funds.

The town will use the grant and loan funding to replace aged and failing infrastructure at the WWTF including preliminary, primary, secondary, and tertiary treatment.

ARPA of 2021 is a \$1.9 trillion economic stimulus bill passed by the 117th United States Congress and signed into law by President Biden on March 11, 2021, to speed up the United States' recovery from the economic health effects of the COVID-19 pandemic and the resultant recession. The Act defines eligible uses of the state and local funding, including responding to public health emergencies, responding to workers performing essential work during the COVID-19 emergency, providing revenue relief to states and making investments in water, sewer, and broadband infrastructure. This is an allowable use of ARPA funds under Section 602 (c)(1)(D) to make necessary investments in water, sewer, or broadband infrastructure.

In accordance with the final rule from the US Treasury Department for water and wastewater infrastructure investments, project eligibility is aligned with the Environmental Protection Agency's Clean Water State Revolving Fund (CWSRF) and Drinking Water State Revolving Fund (DWSRF). This project is an eligible CWSRF infrastructure project.

The Supplemental (final) loan amount will be based upon the total CWSRF funds disbursed and may be less than \$4,000,000. Under federal capitalization grant requirements, this loan includes principal forgiveness of up to \$80,000. Currently, there is \$93,627,726 available to loan after this request.

In the event funds become no longer available, general funds will not be requested to support this program. The grant agreement has been approved by the Attorney General's Office as to form, substance and execution.

We respectfully request your approval of this item.



Robert R. Scott
Commissioner